

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

TYRONE L HARRIS,

No C 10-1083 VRW

Plaintiff,

ORDER

v

CITY OF OAKLAND, WAYNE G TUCKER,  
MARCO MARQUEZ, STEVEN MARTIN JR.,

Defendants.

On March 12, 2010, plaintiff, acting pro se, filed his complaint initiating this action. Plaintiff paid the \$350 filing fee. No further progress in the action is reflected in the court's docket. Plaintiff failed to appear at the case management conference scheduled on June 24, 2010.

Under Rule 4 of the Federal Rules of Civil Procedure, plaintiff was required to complete service of summons and complaint on all defendants in the action and to file proof of service with the court. FRCP 4 sets forth in detail the ways in which a plaintiff may accomplish effective service or secure the

1 defendants' waiver of service. Absent a showing of good cause for  
2 taking longer than 120 days, an action is subject to dismissal if  
3 service of process is not completed within 120 days after the  
4 filing of the complaint. FRCP 4(m). The deadline for completion  
5 of service has passed and plaintiff has failed to comply with his  
6 obligations under FRCP 4.

7 Because plaintiff failed to appear at the case management  
8 conference and failed to comply with FRCP 4, plaintiff is now  
9 ordered to show cause in writing, on or before August 2, 2010, why  
10 this action should not be dismissed for failure to serve the  
11 defendants in a timely manner and for failure to prosecute.  
12 **FAILURE TO RESPOND TO THIS ORDER WITHIN THE TIME SPECIFIED WILL**  
13 **RESULT IN DISMISSAL OF THIS ACTION.**

14 Plaintiff is strongly advised (but not required) to  
15 contact the Bar Association of San Francisco's Legal Help Center  
16 for free legal assistance with his case. The Legal Help Center is  
17 located on the 15th Floor of the courthouse at 450 Golden Gate  
18 Avenue in San Francisco. Appointments may be made by visiting the  
19 Legal Help Center in person or by calling (415)782-9000, extension  
20 8657.

21  
22 IT IS SO ORDERED.  
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25   
26 VAUGHN R WALKER  
27 United States District Chief Judge  
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